HON'BLE SRI JUSTICE R. SUBHASH REDDY

WRIT PETITION No. 23468 of 2002

Dated: 26-09-2006

Between:

Y. Ramakrishna

… Petitioner/s

and

The Principal,
Institute of Advance Studies in Education and
State Convenor, Hindi Pandit Training Common
Entrance Test-2002,
Rajahmundry, East Godavari District and others.

…Respondent/s

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ORDER :

This writ petition is filed seeking Mandamus declaring the action of the first respondent in not considering the candidature of the petitioner for admission into Hindi Pandit Training Course for the year 2002-03 in the quota reserved for Physically Handicapped persons, as being arbitrary and illegal.

It is the case of the petitioner that he appeared for the Entrance Examination for admission into Hindi Pandit Training Course and secured rank. At the first instance, a certificate was issued by the District Medical Board, Nalgonda, certifying the disability of the petitioner at 50%. Basing on such certification, when admission was not granted to him into Hindi Pandit Training Course in the quota reserved for Physically Handicapped persons, the petitioner filed the present writ petition.

While admitting the writ petition, this Court granted interim directions to grant admission to the petitioner in Hindi Pandit Training Course taking into account the rank secured by him and also basing on the certificate issued by the District Medical Board, Nalgonda, under Physically Handicapped quota.

At the time of hearing, the learned Government Pleader for School Education represented that the course itself is for a period of one year and pursuant to the interim orders granted by this Court, the petitioner was given admission and completed the said course. But however, it is the case of the respondents that the petitioner is not eligible, as the Medical Board constituted for the purpose of admissions has certified the percentage of the disability of the petitioner as less than 40%.

Heard learned counsel for the petitioner and learned Government Pleader for School Education.

In this case, it is to be noted that the District Medical Board, Nalgonda, has certified the disability of the petitioner at 50%. But however, the Medical Board constituted for the purpose of admissions has certified the percentage of the disability of the petitioner as less than 40%. At the same time, the fact remains is that the interim order granted by this Court was in force in view of the orders passed by a Division Bench of this Court in W.A.No.193 of 2003, dated 7-2-2003 and the petitioner has completed the said Course.

In that view of the matter, it would appropriate to dispose of the writ petition directing the respondents to treat the admission of the petitioner as a valid one and further directed to issue all the necessary certificates, if he had completed the course successfully.

The writ petition is accordingly disposed of with the above direction. There shall be no order as to costs.

R.SUBHASH REDDY, J

26-09-2006.
Msr.

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(Msr)